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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,664	07/24/2001	Stewart B. Kelland	9168.00	3849
7590	07/29/2004			EXAMINER
Michael Chan Intellectual Property Section NCR Corporation, Law Department 1700 South Patterson Blvd. Dayton, OH 45479-0001			CHOOBIN, BARRY	
			ART UNIT	PAPER NUMBER
			2625	
			DATE MAILED: 07/29/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/911,664	KELLAND
	Examiner Barry Choobin	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 July 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7 recites the limitation "the non-check" in lines 2 and 5. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-5, 7-10, 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamaguchi et al in view of Mao et al.

AS to claims 1, 7, 13 Hamaguchi et al disclose a method of processing a non-check item in a check processing system (column 1, lines 20-25), the method comprises: (a) capturing an image of the non-check item (column 3, lines 18-23); (b) extracting text data from the captured image of step (a) (hand written characters corresponds to text); (c) recognizing a name from the extracted text data of step (b) (column 3, lines 15-17). Hamaguchi et al does not expressly disclose storing the recognized name of step (c) in memory to provide a lexicon against which extracted text data from a check item can be compared.

Mao et al disclose a key character extraction and lexicon reduction cursive text recognition comprising: storing the recognized name of step (c) in memory to provide a lexicon against which extracted text data from a check item can be compared (column 4, lines 5-44).

Mao and Hamaguchi are combinable because they both deal with image processing in particular with character recognition.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Hamaguchi et al with Mao et al in order to decrease the time required recognize a line of cursive text (column 4, lines 50-55).

The suggestion/motivation for doing so would have been decrease the time required recognize a line of cursive text without reducing accuracy (column 4, lines 50-55).

Therefore, it would have been obvious to combine the Mao et al with Hamaguchi et al to obtain the invention as specified in claim 1.

As to claims 2, 8, 14, Hamaguchi et al disclose the non-check item comprises a deposit slip item (fig.4).

As to claims 3, 9, 15, Hamaguchi et al disclose the text data extracted from the captured image of the non-check item comprises account owner data, and the name recognized from the account owner data comprises an account owner name (fig.4).

As to claims 4, 10, 16, Mao disclose generating a number of equivalent account owner names based upon the extracted account owner data of step (b); and (f) storing the equivalent account owner names of step (e) in memory to provide other lexicons against which extracted text data from a check item can be compared (column 4, lines 5-44).

As to claim 5, Hamaguchi et al disclose a method of processing a deposit slip item in a check processing system, the method comprising the steps of: (a) capturing an image of the deposit slip item (fig.4); (b) extracting account owner data from the

captured image of step (fig.4)(a); (c) recognizing an account owner name from the extracted account owner data of step (b)(fig.4); and (d) storing the recognized account owner name of step (c) in memory to provide a lexicon against which extracted payee data from a check item can be compared (see claim 1).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 6, 11, 12, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamaguchi et al in view of Mao et al as applied to claims 1 above, and further in view of Page.

As to claims 6, 11, 12, 17 and 18, these claims are similar to claim 1 with an additional limitation regarding the payee data from a check item, which is compared to the deposit slip.

Both Hamaghuchi et al and Mao et al do not expressly discuss comparing the data from payee of deposit slip with the check's payee data.

On the other hand, Page discloses the payee data from a check item, which is compared to the deposit slip (page 1, Paragraph 0003).

Page is combinable with combination of Hamaguchi et al and Mao et al because page is concern with verifying the authenticity of a check and payment authorization via a scanner in form of an optical scanner (18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify combination of Hamaguchi et al and Mao et al with Page in order to reduce the problems associated with check fraud (Page 2, 0011).

The suggestion/motivation for doing so would have been reducing the problems associated with check fraud.

Therefore, it would have been obvious to combine Page with Hamaguchi et al and Mao et al.

#### ***CONTACT INFORMATION***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry Choobin whose telephone number is 703-306-5787. The examiner can normally be reached on M-F 7:30 AM to 18:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703-308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Barry choobin  
July 22, 2004



BHAVESH M. MEHTA  
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